LITTLE CHANCE OF BREACH

United States Still Insists It Is Illegal to Sink Contraband-Carrying Neutral Ships.

America probably will accept Germany's proposition that the Frye case be submitted, as a general test of the Prussian-American treaty of 1828, to The Hague

High officials here said today that the controversy certainly was not of a kind to warrant a break between the two governments, but that a settlement was imperative. They expressed the opinion that it could best be reached by arbitration.

The question hinged on Germany's right to sink contraband-carrying American ships. Germany claims this right. America admits Germany's right to destroy the contraband, but not the ship containing it.

Expected to Accept.

Pending arbitration, it was expected America would accept Germany's offer to pay for the Frye, the amount of damages to be determined jointly by a German and an American expert, with the understanding that payment does not constitute a waiver either by Germany or America of their respective interpretations of the treaty.

The Leelahaw case, it was believed,

would be similarly handled. would be similarly handled.

No action was looked for relative to the British note rejecting America's claim to freedom of the seas, until President Wilson's return to Washington, With the country's big exporting interests clamoring for drastic action against the British, and a "Bryan peace tracty" tying the matter up for at least a year, it was admitted this was a puzzling problem. Officials confessed they did not yet see their way to an answer. An early note was foreseen protesting to France against the latter's seizure of the steamship Dacia, a Hamburg-Amerthe steamship Dacia, a Hamburg-American vessel, which was transferred to American registry after the war began.

Text of German Note. The full text of the German reply to the Frye note follows:

Foreign Office.

Berlin, July 30, 1915.

The undersigned has the honor to inform him excellency, Mr. James W. Gerard, ambassador of the United States of America, in reply to the note of the 26th ultimo, foreign office No. 3990, on the subject of the sinking of the American merchant vessel. William P. Frye, by the Gervessel, William P. Frye, by the German auxiliary cruiser, Prince Eitel Friedrich, that the points of view brought out in the note have been carefully examined by the Imperial German government. This examination has led to the following conclusions:

tion has led to the following conclusions:

The Government of the United States believes that it is incumbent upon it to take the position that the treaty rights to which America is entitled, as contained in article 12 of the Prussian-American treaty of amity and commerce of September 10, 1785, in article 13 of the Prussian-American treaty of amity and commerce of July 11, 1799, were violated by the sinking of the William P. Frye. It interprets these articles as meaning that a merchantman of the neutral contracting party carrying contraband cannot in any circumstances be destroyed by a warship of the belligerent contracting party, and that the sinking of the William P. Frye was, therefore, in violation of the treaty; even if her cargo should have consisted of the discussion. of the discussion.

accept this view. It insists as here-tofore that the commander of the German auxiliary cruiser acted in the legal exercise of the right of control of trade in contraband en-joyed by warships of belligerent na-tions, and that the treaty stipula-tions mentioned merely oblige the German government to make com-pensation for the damage sustained by the American citizens concerned pensation for the damage sustained by the American citizens concerned. It is not disputed by the American Government that according to gen-eral principles of international law a belligerent is authorized in sinking neutral vessels under almost any conditions for carrying contraband. As is well known, these principles were laid down in articles 49 and 50, of the Declaration of London, and were recognized at that time by the nations which participated in the conference, including the American delegates, to be declarative of exist-ing international law (see prelimidelegates, to be declarative of exist-ing international law (see prelimi-nary clause of the Declaration of London); moreover, at the beginning of the present war, the American Government proposed to the bellig-erent nations to ratify the Declara-tion of London and give its provi-sions formal validity also.

Destination Presumed. The German government has already explained in its note of April 4. last, for what reasons it considers that the conditions justifying the sinking under international law were present in the case of the William P. Frye. The cargo consisted of conditional contraband, the destination of which for the hostile and armed forces was to be presumed under the circumstances: no proof to overcome this presumption has been furnished. More than half the cargo of the ves-sel was contraband, so that the vessel was liable to confiscation. The attempt to bring the American ves-sel into a German port would have greatly imperiled the German vessel greatly imperiled the German vessel in the given situation of the war, and at any rate practically defeated the success of her further operations. Thus the authority for sinking the vessel was given according to general principles of international law.

There only remains then to be examined the question how far the Prussian-American treaty stipulations modify these principles of international law.

In this connection Article 12 of the

ternational law.

In this connection Article 12, of the trenty of 1785 provides that in the event of a war between one of the contracting parties with another power the free commerce and intercourse of the nationals of the party remaining neutral with the belligerent powers shall not be interrupted, but that on the contrary the vessel

of the neutral party may navigate freely to and from the ports of the beligerent powers, even neutralising enemy goods on board thereof. However, this article merely formulates general rules for the freedom of maritime intercourse and leaves the question of contraband untouched; the specific stipulations on this point are contained in the following article, which is materially identical with Article 13, of the treaty of 1799 now in force.

A Reasonable Compromise, The plain intention of Article 18 is

The plain intention of Article 13 is to establish a reasonable compromise between the military interests of the belligerent contracting party and the commercial interests of the neutral party. On the one hand the belligerent party is to have the right to prevent the transportation of war supplies to his adversaries even when carried on vessels of the neutral party; on the other hand the commerce and navigation of the neutral party is to be interfered with as little as possible by the measures necessary for such prevention, and reasonable compensation is to be paid for any inconveniences or damage which may nevertheless ensue from the proceeding of the belligerent party.

party... Article 13 recites the following means whereby the beligerent party can prevent the vessels of the neutral party from carrying war supplies to his adversary: The detention of the ship and cargo for such length of time as the beligerent may think necessary; furthermore, the taking over of the war stores for his own use, paying the full value of the same as ascertained at the place of destination. The right of sinking is not mentioned in the treaty, and is, therefore, neither expressly peris not mentioned in the treaty, and is, therefore, neither expressly per-finited nor expressly prohibited, so that on this point the party stipulations must be supplemented by the general rules of international law. From the meaning and spirit of the treaty it really appears out of the question that it was intended to expect of the belligerent that he should permit a vessel loaded with contraband, for example a shipment of arms and ammunition of decisive importance for the outcome of the war. portance for the outcome of the war, to proceed unhindered to his enemy when circumstances forbid the car-rying of the (omission) into port, if the general rules of international law allow sinking of the vessel.

Exposed to Attack. The remaining stipulations of article 13 must likewise be considered in this light; they provide that the captain of a vessel stopped shall be allowed to proceed on his

that the captain of a vessel stopped shall be allowed to proceed on his voyage if he delivers out the contraband to the warship which stopped his vessel. For such delivering out cannot, of course, be considered when the ensuing loss of time imperils either the warship herself or the success of her other operations. In the case of the William 12. Frysthe German commander at first tried to have matters settled by the delivery of contraband, but convinced himself of the impracticability of this attempt, in that it would expose his ship to attack by whatever superior force of enemy war vessels pursuing him, and was accordingly obliged to determine upon the sinking of the Frye. Thus he did not exceed on this point the limits to which he was bound by article 13.

However, article 13 asserts itself here to the extent that it founds the obligation to compensate the American citizens affected, whereas according to the general rules of international law the belligerent party does not need to grant compensation for a vessel lawfully sunk. For, if by article 13, the mere exercise of right of highways makes the belligerent liable for compensation, this must apply a fortiori to the exercise of the right of sinking. The question whether the German commander acted legally was primarily a subject for the consideration of the German prize courts, according to general principles of international law as laid down, also, in article 1 of The Hague convention for the establishment of an international prize court, and in article 5 of the declaration of London. The German government consequently laid the case of William P. Frye before the competent prize court at Hamburg, as was stated in its note of the 7th ultimo. This court found by its judgment of 10th Mathe to contraband, that the vessel-could hand, be carried

by its judgment of the Oth instant that the cargo of the American yessel William P. Frie was contraband, that the vessel-could had be carried into port, and that the sinking was therefore justified; at the same time the court expressly rreagaized the validity of the Friighidh-American treaty stipulations abverally (omission) model for the relations between the German empire and America, so that the sinking of the ship and cargo, so far as American property, makes the German empire liable for indemnity. The prize court was unable to fix the indemnity itself, since it had no data before it, failing the receipt of the necessary details from the parties interested.

Would Fix Indemnity.

It will now be necessary to settle these points in a different way. The German government suggests as the simplest way that each of the two
governments designate an expert,
and that the two experts jointly fix
the amount of indemnity for the
vessel and any American property
which may have been sunk with her.
The German government will The German government will promptly pay the amount of in-demnity thus ascertained; it exdemnity thus ascertained; it expressly declares, however, reverting to what has been stated above, that this payment does not constitute satisfaction for the violation of American treaty rights, but a duty or policy of this government founded on the existing treaty stipulations.

Should the American Government not agree to this manner of settling the matter, the German government is prepared to submit the difference of opinion as being a question of the interpretation of the existing treaties between Germany and the United States to the tribunal at The Hague convention for the pacific settlement of international disputes.

putes.

The undersigned begs to suggest that the ambassador bring the above to the attention of his Government and avails himself, etc.,

VON JAGOW.

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or Losa of Time.
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Fever or chronic Asthma, you should
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method is designed to end all difficult
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Besides Death Toll in Erie, Pa., Nine Lives Are Lost in Greater New York.

NEW YORK, Aug. 5.-Under clearing skies, the Atlantic coast was beginning to right itself today from the effects of one of the worst storms in years.

The damage in dollars probably will not be known accurately for a week, as the storm king laid a heavy hand on the outlying districts where transportation and communication facilities are slow. The loss is admittedly great.

At Erie, Pa., hardest hit of all, rescue parties were working feverishly today to clear the streets of wreckage that covers many bodies. Latest reports have twenty bodies recovered, and it is feared that an equal number still are covered in the debris. No estimate of the toll of injured has been attempted.

Nine lives were taken in Greater New York, and millions of dollars' worth of damage done. Most of the lives were lost in accidents directly attributable to the storm. Trees were uprooted, roofs blown off, and traffic everywhere delayed.

In New York harbor and along the Jersey coast for 100 miles an estimate of the damage is difficult. The fishing folk lost heavily. Boats were torn loose from their moorings, and either driven out to sea or smashed against the shore. Two schooners and several tugs went

down.

There was a constant stream of summer campers into New York today. On Long Island where summer tent colonies.

Long Island where summer tent colonies. are numerous, little remained. The tents and ramshackle bungalows were chaff in the teeth of the sixty-mile gale that swept the district for hours.

Hundreds of rowboats and pleasure crafts were blown away and smashed.

Squads of Rescuers Clear Away Erie Debris In Hunt For Bodies

ERIE, Pa., Aug. 5.-While funeral ar-ERIE, Pa., Aug. 5.—While funeral arrangements were being made for the twenty victims of Erie's greatest catastrophe, squads of rescuers were working feverishly today to clear away the wreckage that chokes the streets, and probably conceals a dozen more bodies. Eighteen persons still are missing today, according to a revised list made by city officials.

by city officials.

The heavy property loss extends for twenty miles along the shore and will reach \$3.000.000.

State inspectors of the Pennsylvania State inspectors of the Pennsylvania health department came into Erie today to oversee the removal of debris and take sanitary measures.

The stench that arose from the pile sickeped many of the workers and led to orders that all who had been immersed in the waters should be treated to prevent typhoid fever.

Erie Declines Offer Of Aid From Red Cross

The offer made by the Red Cross to ald the city of Erie in caring for the cloudburst sufferers has been declined. A telegram received at the headquarters today from E. P. Bicknell, national director, says:
"Mayor of Erie expresses thanks for offer of assistance but says city is able to meet situation fully."

Changes Are Announced At Government Printery

A number of changes in the Government Printing Office, including appointments, separations, and transfers, were announced today by Public Printer Ford. They are as follows.

Appointments-George M. Ramsey, compositor, reinstatement; Patrick F. Ganey, probationary messenger boy, re-Instatement, and Charles F. Trogner, proofreader, reinstatement. Separations-Mrs. Jennie A. Borst.

skilled laborer, and Theodore H. Chunn, nessenger boy.

Transfers-Aloysius F. Burns, from nelper, 35 cents an hour, plate vault section ,to sheet metal worker, 50 cents an hour, engineer's section; James H. Scott. from skilled laborer, 25 cents an hour, pamphlet hinding section, to elevator conductor, 30 cents an hour, electrical section; Henry H. Day, from skilled laborer, 25 cents an hour, ruling and sewing section, to watchman, \$720 per annum, watch force section; John F. Scott, from helper, 35 cents an hour, to Scott, from helper, 35 cents an hour, to stockkeeper, 40 cents an hour, stores division: Edward A. Newman, from skilled laborer, 25 cents an hour, to helper, 30 cents an hour, stores division; J. Anthony Gallagher, from skilled laborer, 25 cents an hour, to helper, 30 cents an hour, stores division; Albert H. Lester, from stockkeeper, 40 cents an hour, stores division, to office helper, 55 cents an hour, stores division; Percy C. Ellett, messenger boy, office of superintendent of documents, from \$420 to \$500 per annum, and William K. Hauser, messenger boy, office of the superintendent of documents, from \$475 to \$420 per annum. per annum.

Used Piano Upright A Bargain For **\$60**

Terms Arranged. Free Stool and Scarf.



4° ON SAVINGS U.S. SAVINGS BANK * 14 & You Streets Wade H. Cooper, Prest

Final Riddance of All Remnants

Left From This Week's Rummage Sale

Summer Hosiery

Women's Fast Black Lisle Stockings, seamless foot, double sole, high spliced heel and toe, garter top. Regular 25c 17c value, Sale price 17c Women's White Cotton Stockings, seamless foot, double heel and toe, hemmed top, light weight, Regular 12½c 8/2c

Women's Fiber Silk Stockings, seamless foot, double sole, high spliced heel and toe; choice of black and colors. Regular 17c (THREE for 50c.)

fraction of original cost.

prices for final clearance tomorrow.

8c, 10c and 12½c

Including Gabardines, French Voile, Beach Suiting, Worsted Welt Pique, Seed Voile, Linen Finish Suiting, Rice Cloth, Mercerized Batiste, Ratine, Flaxon, Luna Lawn, Madras, Galatea, New Crepe Voile, Plisse Crepe, Shadow Lace Voile, English Repp, Cannon Cloth, Check and Stripe Dimity, India Linon, Dotted Swiss, Pajama Check, Poplin, Long Cloth, Nainsook, etc. 27 to 45 inches wide. Good useful lengths.

Wash Goods Remnants

At Rummage Sale Prices

Wash Fabrcis from the past week's busy selling have all been

gathered in two big lots and marked at these amazingly low

15c, 25c and 35c Colored Wash Goods 6 \(^4\)C

elties, Silk and Cotton Crepe de Chine, Rice Cloth with Rattine stripes, Silk Marquisettes, Imported French Crepe, Fancy Weave Ratine, Mottled Beach Suitings, yarn Mercerized Poplins, English Repp, Beach Suitings, Bordered Voiles, etc. 27 to 45 inches wide. Desirable lengths for waists, skirts, and dresses.

Colored Wash Goods J

Including Printed Voiles, Imported Eponge, Silk and Cotton Nov-

Including Fine Quality Printed Lawns, Printed Crepes, Ratines,

Plain Lawns, Brocade Crepes, Mercerized Pongees, etc. 27 to 40 inches wide. Desirable lengths for waists, skirts, and dresses.

The accumulated oddments and short lengths of Colored

STORE HOURS: Open at 8:15 A. M.; Close at 5 P. M.



Friday's Luncheon 20c

Crab Salad, Bread and Butter, Coffee, or Iced Tea.

Knit Underwear

Women's Fancy Lisle Vests, low neck and sleeveless, with silk and mercerized tape; sizes 4, 5, and 6. Regular 35c 17c Boys' Light-Weight Cotten Underwear; shirts are high neck and short sleeves or low neck and sleeveless; knee pants; choice of balbriggan or naipsook; and sleeveless; knee pants, choice of balbriggan or nainsook; bleached and unbleached. Regular 25c values. Sale 15c

price Women's "Augusta" Lisle Union Suits, low neck and sleeveless, silk taped, lace trimmed or tight knee; sizes 4, 5, and 6. Reg. 59c ular \$1.00 values. Sale price 59c

The Half-Yearly Round-Up of Men's Clothing!

White Goods Remnants MEN'S At Rummage Sale Prices Clearance sale of a lot of remnants and short lengths of White Goods left from the week's busy selling. Your chance to secure fine quality materials for waists, skirts, and dresses at a SUMMER 15c, 19c 25c and 29c White Goods... 7 % C SUITS

Worth \$10.00, \$12.50, \$15.00 and \$16.50



Summer's parting shot—a final sweeping clearance of the broken lots of Men's and Young Men's Suits left from the season's selling. Out they go tomorrow in one lot-at a price that reaches low-water mark for sensational value-giving! Think of buying a suit, stylish, well tailored, of dependable all-wool material, for FIVE DOLLARS. Such unheard-of economy will urge your prompt attendance tomorrow to secure one of these suits.

The lot includes Suits of All-wool Worsteds, Cheviots, Tweeds, Cassimeres, Serges, and Genuine Priestly Mohair Cravenettes in a great variety of light and dark

Not all sizes of each style, but every size in the sale from 33,to 44 and 16 to 19. Values from \$10 to \$16.50. All go tomorrow at FIVE DULLARS. Please note that we will make alterations, if any, at actual cost.

Remnant lot Men's Fine Quality Separate Trousers, made of pure worsted materials in neat patterns and well-tailored; sizes 30 to watst. Regular \$2.50 value, Rummage Sale. Remnant lot of Men's Alpaca and Serge Coats, small sizes \$1.79 Extra Special: Six Men's Palm Beach Suits, slightly damaged by water; sizes 36, 37, and 38. Regular \$7.50 quality. Rummage \$1.98

"Odd Lot" Women's Summer Apparel

Sensational Mark Down of All Women's Suits, Coats, Skirts, Dresses and Waists

There's plenty of wearing time for you to enjoy these bargains—come tomorrow and make your selection from hundreds of the season's most approved models and pay but a small fraction of the original cost.

\$1.00 Flannel Shirts reduced to2
\$3.00 and \$4.00 Serge Dresses\$1.3
Women's and Misses' \$15 and \$18 Suits, \$3.
\$1.00 Lingerie Waists reduced to3
\$3.98 and \$4.98 Girls' Cloth Coats\$1.5
\$6.98 and \$7.98 Girls' Cloth Coats\$3.0
Women's \$25.00 and \$30.00 Cloth Suits \$7."
\$1.00 and \$1.50 Wash Skirts
\$1.50 and \$2.00 Extra Size Wash Skirts8
\$12.50 and \$15.00 Palm Beach Coats\$5.
Women's \$10.00 Cloth Coats\$3.
Women's \$12.50 and \$15 Silk Dresses \$3.5
Women's \$3.98 and \$4.98 Wash Dresses \$1.0
Women's \$1.50 and \$2.00 Wash Dresses7

29c | Women's \$2.00 and \$2.50 Silk Waists. \$1.00 39 Misses' \$1.00 and \$1.50 Wash Dresses . . . 45c Women's \$2.00 Lingerie Waists......95c \$3.00 and \$4.00 High-Class Silk Waists \$1.45 .95 \$18.00 and \$20.00 Silk Dresses......\$8.88 .69 \$5.98 and \$6.98 Wash Dresses......\$2.69 .79 \$12.50 and \$15.00 Women's Silk Coats \$7.55 Women's \$7.50 and \$10 Wash Dresses, \$3.95 \$6.58 and \$7.50 Crepe and Lace Waists \$3.98 98 75c and \$1.00 Black Lawn Waists.......39c .95 \$15 and \$18 Women's Cloth Coats.....\$7.69 Women's \$12.50 and \$15 Palm Beach

Ribbon Remnants

You can supply every need and save one-half and more from these remnants, which include Satin, Moire, Taffeta, and Fancy Rib-Widths from one to six inches.

Ribbons worth up to 5c yard, Ribbons worth up to 12c yard, Ribbons worth up to 25c yard, 113c

Odds and Ends Housewares

Worth Up to 25c . . 3c

Fine White Muslin Petticoats, with flounce of handsome embroidery, assorted patterns. Regular \$1 values. Sale price 69c

A clearance lot of Corsets, good

models, made of coutil, batiste, also ventilating; assorted sizes; broken lots. Sale price 44c

Long Lawn Kimonos, fine grade,

in pretty floral patterns and lace trimmed, broken lots. Reg-ular 98c values. Sale price 59c

Lawn Dressing Sacques, assorted light and medium colors, square necks and belts; broken 100

Enameled Cups, Strainers, Sugar Bowls, Soap Dishes, China Meat Dishes, Silver-plated Sugar Shells, Frying Pans, Scrub Brushes, Soap Savers, Tin Canisters, Coat Hangers, Moth and Vermin Destroyers, and many other useful articles. Worth up to 25c each. Rum- 3c mage price .98 Women's \$8.90 Palm Beach Suits \$3.98 Suits\$5.95 Corsets, Petticoats and Kimonos

Small lot of Extra-fine Sateen

Petticoats, in black and white stripes, tan, old rose, and purple;

very stylishly made. Regu- 69c lar \$1.00 grades. Sale price

Fine Slik Messaline Petticoats,

in medium and dark colors; odd

lots. Regular \$2.00 values. 88c

Women's Gingham Petticoats, in

assorted blue and gray stripes;

Men's Summer Furnishings At Sweeping Clearance Reductions

CLEARANCE OF

SUMMER FOOTWEAR

Misses', Children's and Boys' \$1.50, \$2.00 and \$2.50 Low Shoes Reduced to

Misses' and Children's Low Shoes, of Patent Colt, Gun Metal, Vici Kid and Tan Leathers—sizes 6 to 8, 8½ to 11, and 11½ to 12 in the lot. Boys' and Little Men's Low Shoes of Patent Colt, Gun Metal and Tan Leathers, sizes 10 to 6 in the lot. This season's most approved styles.

Broken lots and ends of lines of our regular stock of Boys', Misses' and Children's Low Shoes. Good serviceable qualiti-s

Men's 50c and 75c quality cambrid and muslin night robes, V neck or roll collars, full cut 38c Men's \$1.00 and \$1.25 Silk and Palm Beach Outing Hats and Caps.

Just the thing for vacation 69c

Men's 75c Blue Jersey Bathing Suits. Made with quarter 35c sieeves, broken sizes, suit.... Men's \$3.50 and \$5.00 silk, pongee, and Silk and linen Pajamas. Fault-less make, all perfect qualities, plain co.ors and stripes. \$1.89

Men's half hose, in black and

and comfortable lasts.

Children's Barefoot Sandals of good quality Tan Leather, in sizes 5 to 11. Rummage 20c

Odd lots of men's Union Suits and single garments, in lisle thread, Sea Island cotton balbriggan, nainsook, madras and long-cloth, athletic and regular styles; sold for \$1.00 and \$1.50, garment \$1.50, 25c

Men's \$1.00 and \$1.50 Caps, of medium and light weight all wool clock; a few silks in the lot. 29c

Men's Negligee Shirts, balance of high-grade lines, soft or laundered cuffs, sizes 14 to 17. Regu- 39c lar 75c, \$1.00, and \$1.25 value

Men's \$1.50 and \$2.00 quality Straw Hats, all the best selling braids, newest shapes and all 59c

Women's Bath Slippers, assorted in

colors, serviceable qualities sizes 4 to 9. Worth 50c.

flounce of tucks. Regular | 39c sizes. Sale price 19c Remnant Sale of Millinery

Remnants of Straw Braids, in black and colors, worth up to 5c Remnants of Black and White Straw Hats. Worth up to 75c Lot Turbans, of satin and comtination of satin and velvet; slightly soiled. Worth up to 69c

Odds and ends of Fancy Peath. ers and Flowers. Worth up to 5c Remnants of Summer Trimmed Hats. Worth up to \$8.00. \$1.98

6 Summer Trimmed Hats, of maline, black and white, leghorns with flower and pompems.

Worth up to \$15.60. Sale \$4.75 price....

Undermuslins Underpriced

Lot of Corset Covers, made of good cambric, with plain neck and sleeves; slightly mussed. 8c

Small lot of fine Corset Covers, made of extra quality nainsook, with embroidered designs; some with fine trimmings; small and medium sizes only. Regular 25c

Lot of Muslin Underwear, including Cambric Petticoats, Envelope Crepe Drawers. Broken lots and slightly mussed. All are 50c 33c Chemise, and some Nainsook and Women's Extra-size Gingham Aprons, waist style with deep ruf-fle, pocket and tie string. Regular 29c value. Sale 10c

39c sizes 4 to 9. Worth sec. VISIT OUR PURNITURE DEPARTMENT-ACROSS THE STREET